



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS : Guenzler-Pukall, et al.
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EXAMINER : Roy R. Teller
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TITLE : TREATMENT OF DIABETES

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT AND REPLY UNDER 37 CFR §1.114

Sir:

This Amendment and Reply under 37 C.F.R. §1.114 constitutes a Request for Continued Examination (RCE) and is responsive to the Final Office Action dated 23 September 2009 (the Final Office Action) in the above-identified patent application. Applicants filed a Notice of Appeal in this application on 23 March 2010, providing a response deadline of 23 May 2010, extended to 23 October 2010 by the petition for extension of time and fee submitted 13 October 2010, a copy of which is enclosed.

This RCE after final rejection and the accompanying documents, including a reply to the final rejection, are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. §1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated). Accordingly, this RCE is timely filed

Please reconsider the above-identified application in view of the following remarks.

A Listing of the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

Certificate of mailing or transmission under 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 22 October 2010.

Name: Michael Moores

Signature: 